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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,587	08/23/2000	Eric Schneider		2465

24226 7590 01/14/2004
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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/644,587

Applicant(s)

SCHNEIDER, ERIC

Examiner

Benjamin R Bruckart

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Detailed Action

Status of Claims:

Claims 14-33 are pending in this Office Action.

Claims 1-11, 13 are canceled.

Applicant's new title is accepted as "Network Resource Access Method, Product, and Apparatus."

Claims 14-17, 23-25; 26, 28-30, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,009,459 by Belfiore et al.

Claims 18-22, 27, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,009,459 by Belfiore et al in view of U.S. Patent No. 5,999,912 by Wodarz et al.

Comments

Applicant suggests new claims 14-27 are inclusively substituted for claims 1-13 on page 2, line 1. The examiner will treat this as a typo since new claims 14-33 are submitted and referred to on page 6, line 1 of the amendment.

Response to Arguments

Applicant's arguments filed in the amendment filed December 24, 2003 on Paper No. 3, have been fully considered but they are not persuasive. The reasons are set forth below.

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Applicant's invention as claimed:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-17, 23-25, 26, 28-30, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,009,459 by Belfiore et al.

Regarding claim 14, a method for a requestor requesting a network resource comprising (Belfiore: col. 2, lines 12-21):

one of a receiving and generating a first URI corresponding to an accessible first network resource including a first content (Belfiore: col. 6, lines 61-66; Figure 10B, Figure 11B; a template is the original URI);

one of a parsing at least one URI component from said first URI and receiving at least a portion of said first content (Belfiore: col. 2, lines 16-21);

one of a selecting and generating a second content wherein said second content is accessible from a second network resource corresponding to a second URI (Belfiore: col. 4, lines 1-7), said second content corresponding to one of a at least one URI component of said first URI and at least a portion of said first content (Belfiore: col. 4, lines 30-40); said second content including one of a at least one domain name determined to be available for registration and one or more keywords and search terms that can be used to assist the requestor with performing an internet search engine request (Belfiore: col. 4, lines 30-40); and,

accessing said first network resource from said first URI and said second content from said second network resource (Belfiore: col. 6, lines 49-60; Figure 10B, Figure 11B).

Regarding claim 15, the method, as set forth in claim 14, wherein said receiving said at least a portion of said first content includes receiving markup language from said first content (Belfiore: col. 6, lines 55-59), said markup language including head information (Belfiore: col. 1, lines 55-65).

Regarding claim 16, the method, as set forth in claim 15, wherein said markup language is selected from a group including HTML, DHTML, XML, XHTML, and SGML (Belfiore: col. 6, lines 55-59).

Regarding claim 17, the method, as set forth in claim 15, wherein said head information includes one of a title information and meta information (Belfiore: col. 1, lines 55-65; title and meta are tags in HTML).

Regarding claim 23, the method, as set forth in claim 14, wherein said at least one domain name is generated from said first content (Belfiore: col. 1, lines 46-54; col. 6, lines 15-29, line 37, line 64).

Regarding claim 24, the method, as set forth in claim 14, further including requesting an internet search engine request from said one of a one or more keywords and search terms (Belfiore: col. 6, lines 38-48).

Regarding claim 25, the method, as set forth in claim 14, further including generating a third URI corresponding to an accessible third network resource having a third content wherein said third content is capable of said accessing said first network resource from said first URI and said second content from said second network resource (Belfiore: col. 2, lines 40-49).

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Regarding claim 26, a method for a requestor requesting a network resource comprising (Belfiore: col. 2, lines 12-21):

- one of a receiving and generating a first URI corresponding to an accessible first network resource including a first content (Belfiore: col. 6, lines 61-66; Figure 10B, Figure 11B; a template is the original URI);
- parsing at least one URI component from said first URI (Belfiore: col. 2, lines 16-21);
- one of a selecting and generating a second content wherein said second content is accessible from a second network resource corresponding to a second URI, said second content corresponding to said at least one URI component of said first URI (Belfiore: col. 4, lines 1-7, lines 30-40); and,
- accessing said first network resource from said first URI and said second content from said second network resource (Belfiore: col. 6, lines 49-60; Figure 10B, Figure 11B).

Regarding claim 28, the method, as set forth in claim 26, further including requesting an internet search engine request from said one of a one or more keywords and search terms (Belfiore: col. 2, lines 35-43).

Regarding claim 29, the method, as set forth in claim 14, wherein said at least one domain name is generated from said first content (Belfiore: col. 1, lines 46-54; col. 2, lines 12-21).

Regarding claim 30, the method, as set forth in claim 26, further including generating a third URI corresponding to an accessible third network resource having a third content wherein said third content is capable of said accessing said first network resource from said first URI and said second content from said second network resource (Belfiore: col. 2, lines 40-49).

Regarding claim 33, a computer program product comprising computer readable program code stored on a computer readable medium (Belfiore: col. , lines), the program code adapted to execute a method for a requestor (Belfiore: col. 2, lines 12-21), requesting a network resource including one:

- of a receiving and generating a first URI corresponding to an accessible first network resource including a first content (Belfiore: col. 6, lines 61-66; Figure 10B, Figure 11B; a template is the original URI),
- parsing at least one URI component from said first URI (Belfiore: col. 2, lines 16-21),
- one of a selecting and generating a second content wherein said second content is accessible from a second network resource corresponding to a second URI (Belfiore: col. 4, lines 1-7), said second content corresponding to said at least one URI component of said first URI (Belfiore: col. 4, lines 30-40), and
- accessing said first network resource from said first URI and said second content from said second network resource (Belfiore: col. 6, lines 49-60; Figure 10B, Figure 11B).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-22, 27, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,009,459 by Belfiore et al in view of U.S. Patent No. 5,999,912 by Wodarz et al.

Regarding claim 18,

The Belfiore reference teaches a system of intelligent searching and parsing data from a network address.

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The Wodarz reference teaches a method (as set forth in claim 14) wherein said second content includes one of a one or more advertisements (Wodarz: col. 2, lines 3-5).

The Wodarz reference further teaches the system of parsing that allows for dynamically advertising that maximizes the number of advertisers per web page which changes ads based upon page numbers, tracks the number of times an ad is viewed, and chooses from eligible ads for each page number to make the site more attractive to viewers since changing web pages on the Internet attract more interest than static pages. (Wodarz: col. 2, lines 15-21)

Therefore it would have been obvious to one with ordinary skill in the art at the time of the invention to create the system of intelligent searching and parsing data from a network address as taught by Belfiore and incorporate a system of accessing both the original and generated URI to produce a page with dynamic content as taught by Wodarz in order to maximize the number of advertisers per webpage and attract more interest than static pages. (Wodarz: col. 2, lines 15-21)

Claims 19-22, 27, 31 and 32 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Belfiore et al and Wodarz et al.

Regarding claim 19, the method, as set forth in claim 18, wherein said one or more advertisements is selected from at least one table of advertisements (Wodarz: col. 3, lines 1-8; Table 1, col. 3, lines 22-31).

Regarding claim 20, the method, as set forth in claim 19, wherein said at least one table of advertisements is organized by one or more groups and categories (Wodarz: col. 2, lines 64-67; col. 3, lines 1-8; Belfiore: col. 7, lines 63-65).

Regarding claim 21, the method, as set forth in claim 19, wherein said at least one table of advertisements can be accessed from an advertisement cache (Wodarz: col. 2, lines 64-col. 3, line 11).

Regarding claim 22, the method, as set forth in claim 18, wherein a first entity manages said first content and said one or more advertisements correspond to a second entity that represents business competition to said first entity (Belfiore: col. 6, lines 38-48; search engine and webpage are independent; Wodarz: col. 3, lines 49-54; the database and webpage are managed independently).

Regarding claim 27, the method, as set forth in claim 26, wherein said second content includes one of a one or more advertisements (Wodarz: col. 2, lines 3-5), at least one domain name determined to be available for registration (Belfiore: col. 2, lines 12-15; Wodarz: col. 2, lines 64- col. 3, line 2), and one or more keywords and search terms that can be used to assist the requestor with performing an internet search engine request (Belfiore: col. 2, lines 35-43).

Regarding claim 31, the method, as set forth in claim 26, wherein a first entity manages said first content and said one or more advertisements correspond to a second entity that represents business competition to said first entity (Belfiore: col. 6, lines 38-48; search engine and webpage are independent; Wodarz: col. 3, lines 49-54; the database and webpage are managed independently).

Regarding claim 32, the method, as set forth in claim 26, wherein said one or more advertisements is selected from at least one table of advertisements (Wodarz: col. 3, lines 1-8; Table 1, col. 3, lines 22-31).

The Applicant Argues:

Applicant argues the Belfiore reference is dependent upon the condition of failing to access a network resource corresponding to a resource location request (Belfiore: col. 2, lines 14-15).

Applicant also argues that Belfiore does not teach “parsing at least one URI component from said first URI and receiving at least a portion of said first content.”

In response, the examiner respectfully submits:

The Belfiore reference does teach instigating a parsing and search of the terms when a resource is unavailable as well as filling in a template registry that causes a search (Belfiore: col. 6, lines 30-48). Belfiore also parses and alters the URI to construct a valid URI (Belfiore: col. 6, lines 15-29).

The Belfiore reference also demonstrates receiving “said first content” as the graphics and template of the webpage as shown in Figure 10B and Figure 11B to the clients browser. The second content is the queried or searched data listed below the graphics for yahoo and Microsoft as seen in the Figures.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

U.S. Patent No. 5,890,172 by Borman et al.

U.S. Patent No. 5,907,680 by Nielsen.

U.S. Patent No. 5,649,186 by Ferguson.

U.S. Patent No. 6,363,433 by Nakajima.

U.S. Patent No. 6,006,264 by Colby et al.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Benjamin R Bruckart
Examiner
Art Unit 2155
brb
January 6th, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER